

REMARKS

Claims 1 and 3-11 remain in the application with claims 7-11 being allowed.

Independent claim 1, upon which claims 3-6 depend, has been amended to clearly recite a different combination than suggested by the prior art. In Okawara et al. '308, the flow is serially through valve 5a, exchanger Ea, valve 5b and then through exchanger Eb. If the claimed chiller-condenser (16) is read on the exchanger Ea and the claimed chiller-evaporator (18) then the claimed by-pass valve (26) does not read upon the valves 5a and/or 5b because these valves merely control serial flow through successive exchangers Ea and Eb, whereas the claimed by-pass valve (26) directs serial flow directly from the chiller-condenser (16) to the chiller-evaporator (18) in the air conditioning mode and bypasses the entire direct serial flow through an expansion device (24) in the heat pump mode. The claimed by-pass valve (26) requires all of the direct serial flow from the chiller-condenser (16) to the chiller-evaporator (18) be terminated and by-passed through the heat pump expansion device (24) but the orifice tube 31 in Okawara '308 is always open to flow regardless of the position of the valves 21 and 29.

In addition, claim 1 recites an air-conditioning expansion device (28) between the front end condenser (14) and via by-pass line (22) whereas Okawara '308 suggests no such expansion device in the line containing the check valve Vc₁.

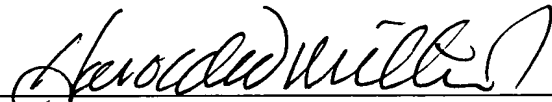
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Accordingly, claim 1 and dependent claims 3-6 recite a different combination than suggested by Okawara '308 or any of the secondary references and are allowable along with claims 7-11.

Applicant believes that no fees are due, however, if any become required, the Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account 08-2789.

Respectfully submitted,

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CERTIFICATE OF EXPRESS MAIL

I hereby certify that this Preliminary Amendment for U.S. Application No. 10/754,037 is being deposited via Express Mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on **July 14, 2005** Express Mail Label No. EV 612874223 US.


Susan K. Olson